

(104)

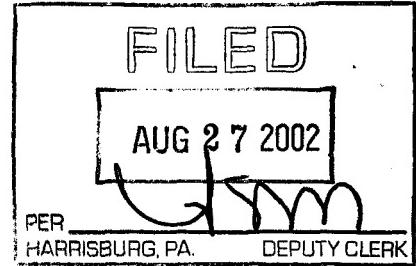
8/28/02

18m

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIADARRELL G. OBER,
Plaintiff

vs.

CIVIL ACTION NO. 1:CV-01-0084

PAUL EVANKO,
MARK CAMPBELL,
THOMAS COURY,
JOSEPH WESTCOTT,
HAWTHORNE CONLEY,
DefendantsO R D E RAND NOW, this 27th day of August, 2002, it is ordered
that:

1. Defendants's "Motion to Strike Plaintiff's Purported Affidavits and Other Documents Submitted in Opposition to Defendants' Motion for Summary Judgment," filed June 25, 2002, (doc. 93), and Defendants' "Motion to Strike Exhibits to Plaintiff's Reply Brief to Defendants' Brief in Opposition to Plaintiff's Motion for Summary Judgment," filed July 29, 2002, (doc. 98), are dismissed as moot.

2. Plaintiff's motion (doc. 55) for summary judgment, filed May 6, 2002, is denied.

3. Defendants' motion (doc. 53) for summary judgment, filed May 6, 2002, is granted in part and denied in part.

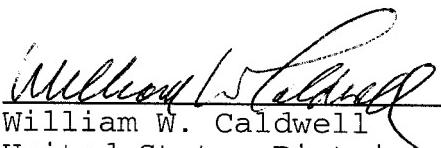
4. Defendants' motion for summary judgment: (a) on Plaintiff's Fourth Amendment claim; (b) on his claim against defendant Campbell; (c) and on his Pennsylvania state-law claim to be free of unlawful conspiracies is granted.

5. The Clerk of Court shall enter judgment in favor of all Defendants on Plaintiff's Fourth Amendment claim and on his Pennsylvania state-law claim to be free of unlawful conspiracies.

6. The Clerk of Court shall enter judgment in favor of defendant Campbell on all of Plaintiff's claims against him.

7. In all other respects, Defendants' motion for summary judgment is denied.

8. This case is transferred for trial and any other proceedings to the Honorable Christopher C. Conner.



William W. Caldwell
William W. Caldwell
United States District Judge